

House File 429 - Introduced

HOUSE FILE _____
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LENSING, SHOMSHOR, R. OLSON,
KEARNS, FORD, BEARD, T. OLSON,
REASONER, and HEDDENS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the availability of a mortgage help hotline
2 contained in a mortgagor's right to cure.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2112HH 83
5 rh/rj/5

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1 1 Section 1. Section 654.2B, Code 2009, is amended to read
1 2 as follows:
1 3 654.2B REQUIREMENTS OF NOTICE OF RIGHT TO CURE.
1 4 1. The notice of right to cure shall be in writing and
1 5 shall conspicuously state the name, address, and telephone
1 6 number of the creditor or other person to which payment is to
1 7 be made, a brief identification of the obligation secured by
1 8 the deed of trust or mortgage and of the borrower's right to
1 9 cure the default, a statement of the nature of the right to
1 10 cure the default, a statement of the nature of the alleged
1 11 default, a statement of the total payment, including an
1 12 itemization of any delinquency or deferral charges, or other
1 13 performance necessary to cure the alleged default, and the
1 14 exact date by which the amount must be paid or performance
1 15 tendered and a statement that if the borrower does not cure
1 16 the alleged default the creditor or a person acting on behalf
1 17 of the creditor is entitled to proceed with initiating a
1 18 foreclosure action or procedure. The failure of the notice of
1 19 right to cure to comply with one or more provisions of this
1 20 section is not a defense or claim in any action pursuant to
1 21 this chapter and does not invalidate any procedure pursuant to
1 22 chapter 655A, unless the person asserting the defense, claim,
1 23 or invalidity proves that the person was substantially
1 24 prejudiced by such failure.
1 25 2. The notice of right to cure shall also include
1 26 information relating to the availability of a statewide,
1 27 toll-free telephone mortgage help hotline for use by persons
1 28 experiencing financial difficulties in making mortgage
1 29 payments.

EXPLANATION

1 30
1 31 The bill provides that a mortgagor's notice of a right to
1 32 cure shall also include information relating to the
1 33 availability of a statewide, toll-free telephone mortgage help
1 34 hotline for use by persons experiencing financial difficulties
1 35 in making mortgage payments.
2 1 LSB 2112HH 83
2 2 rh/rj/5